

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT Application of: Confirmation No.: 3146
Colin N.B. Cook Attorney Docket: 2540-0707
Appl. S.N.: 10/792,286 Group Art Unit: 2175
Filing Date: March 4, 2004 Examiner: Distefano, Gregory A
Title: **Methods and Apparatus for Synchronizing
Virtual and Physical Mouse Pointers on
Remote KVM Systems** Date: March 3, 2011

APPEAL BRIEF

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Appeal filed December 3, 2010, the assignee of record requests any extension of time necessary to timely file this appeal brief (to be charged to the deposit account indicated below) and submits this Appeal Brief in compliance with 37 CFR 41.37 (including sections set forth in the order of 37 CFR 41.37(c)(1)).

(i) Real Party in Interest

As evidenced by the assignment recorded at reel 015471/frame 0295, the real party in interest for this appeal is Avocent Utah, originally a Utah Corporation having a place of business of 12257 S. Business Park Drive, Suite 160, Draper, Utah. Avocent Utah is a subsidiary of Avocent Corporation having a place of business in Huntsville, AL. Since the last appeal, Avocent Corp. has been acquired by Emerson Network Power which is a business of Emerson (NYSE:EMR).

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

(ii) Related Appeals and Interferences

No prior and pending appeals, interferences or judicial proceedings are known to appellant, the appellant's legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(iii) Status of claims

A statement of the status of all the claims in the proceeding is as follows:

Claims 1 - 2 (pending and appealed)

Claims 3 - 11 (canceled)

Claims 12 - 15 (pending and appealed)

(iv) Status of amendments

All amendment have been entered for the purposes of this appeal.

(v) Summary of claimed subject matter

As described in paragraph [0003], "products have been created to facilitate remote control of a computer using devices that remotely project the keyboard, video and mouse. These are typically called keyboard-video-mouse (KVM) devices." However, as described in paragraph [0004], "remote KVM systems generally employ relative movements of the mouse to keep the mouse [of the local and remote systems] in sync (e.g., move 5 pixels left from where you are). The use of relative movements is common because real physical mice use relative movements. ... Both PS/2 and USB mice send the same relative mouse movements messages."

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

There is problem with using relative movements, however, as explained in paragraph [0004]. “Since computer operating systems … are sometimes busy with other tasks, the mouse movement messages may be lost or skipped. Therefore, if a virtual pointer is maintained in a remote KVM system, it may no longer be in sync with the originating system.” Similarly, paragraph [0034] states “Microsoft Windows operating systems periodically ignore mouse moves, which can cause a significant problem.”

To address this problem of loss of synchronization, the last paragraph [0004] states “Consequently, it is desirable to implement a mouse synchronization system for use with a remote KVM system that can synchronize mouse movements based on an absolute position.” Paragraph [0035] also states “the USB protocol is utilized to provide movement of the mouse to an absolute position.”

While it may be “desirable to implement mouse synchronization … based on an absolute position,” it is not possible to do so if the operating system of the logical mouse does not support absolute movement of a mouse cursor. This is why claim 1 recites “testing an operating system of the logical mouse to determine if the operating system of the logical mouse supports the use of a USB-based human interface descriptor (HID) using absolute movement of a mouse cursor to an absolute position other than the origin.” Paragraph [0036] states “Although each [operating system] supports USB, every operating system may not support a specific set of HIDs. … [Thus] testing may be done ahead of time to determine which HIDs are supported by each OS. … Another method of automatically accomplishing this would be to try different HIDs and determine which ones work.”

If the operating does support absolute movement, then absolute positioning can be used to address the synchronization issues. Thus, claim 1 further recites “utilizing a universal serial bus (USB) protocol to provide absolute movement of the mouse cursor on

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

a host computer to an absolute position other than the origin if the operating system supports the use of a USB-based human interface descriptor (HID) using absolute movement of the mouse cursor to an absolute position other than the origin.” Paragraph [0035] states “the USB protocol is utilized to provide movement of the mouse to an absolute position.” Paragraph [0031] states “a USB device …provides a serial connection to deliver a stream of bytes between two entities.” Paragraph [0033] states “the VPC 420 captures keyboard and mouse data streams, encodes them, and transmits the streams to the VPS 400.” Paragraph [0035] recites “A PC Tablet, for example, would use one of these [HID] descriptors supporting the movement of a pointer to an absolute position.”

Lastly, claim 1 recites “synchronizing the position of a logical mouse and the position of an actual mouse using the absolute movement to the absolute position other than the origin without operator intervention.” This can be done by providing a synchronized cursor on the video image. This is described in paragraph [0034] which states “because the mouse is used as a pointing device and its motion is translated to a cursor on the video image, special processing may be used to keep the VPC cursor synchronized with the Host cursor.”

(vi) Grounds of rejection to be reviewed on appeal

There are two grounds for rejection on appeal:

- (1) whether claims 1, 2, 12, 13 and 15 are rendered obvious under 35 U.S.C. 103(a) by U.S. Patent Publication No. 2002/0038334 (hereinafter “the ‘334 publication”) in view of U.S. Patent No. 7,162,407 (hereinafter “the ‘407 patent”); and
- (2) whether claim 14 is rendered obvious by the ‘334 publication and the ‘407 patent further in view of U.S. Patent No. 5,828,372 (hereinafter “the ‘372 patent”).

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

(vii) Arguments

Claims 1, 2, 12, 13 and 15 – Rejected under 35 U.S.C. 103(a)

The rejection of the Office Action can be reversed based on at least two different points. The first point is that the Office Action utilizes an incorrect interpretation of the term “absolute” at least as it is used in the phrase “absolute movement.” The second point is that the applied combination of references does not teach all of the limitations of claim 1.

The Meaning of “Absolute”

Claim 1 recites “utilizing a universal serial bus (USB) protocol to provide absolute movement of the mouse cursor on a host computer to an absolute position other than the origin.” The Office Action asserts that the ‘334 publication teaches this limitation because “the digitizer control application 220 sets the cursor of the target computer to a known location. For example, by sending to the target computer a series of mouse commands, it is possible to drive the cursor to the upper left hand-corner, no matter where the cursor was prior [to] the series of commands.” However, even under a broadest reasonable interpretation standard, this is not “absolute movement” of the cursor to “an absolute position other than the origin.” The Office Action is really describing a series of ***relative*** movements to try to arrive at an absolute position, but “relative” and “absolute” cannot be considered to be synonymous as they are, in fact, antonyms. See Evidence Appendix: page 6 (absolute: “3. Viewed apart from modifying influences or without comparison with other objects; actual; real; -- ***opposed to relative*** and comparative; ***as, absolute motion;*** absolute time or space.”, “5. Capable of being thought or conceived by itself alone; unconditioned; ***non-relative.***”) (emphasis added); page 1

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

(absolute: “6. ... not comparative or relative”); page 2 (absolute: “Antonym ... 6. relative”), page 5 (absolute: “noun ... 1. ... something that is not relative...”).

The PTO’s position is further clarified in the Advisory Action dated May 21, 2008 which states “the examiner interprets ‘absolute movement’ to be any form of movement which moves the cursor to the set location.” That Advisory Action alleges that this interpretation is appropriate because the “sole explanation of what applicant defines as ‘absolute movement’ is given in the[] specification at paragraph [0003] where applicant states ‘move to coordinates x543, y234.’” That statement ignores that paragraph [0004] describes the problem of relative movement and states:

remote KVM systems generally employ relative movements of the mouse to keep the mouse [of the local and remote systems] in sync (e.g., move 5 pixels left from where you are). The use of relative movements is common because real physical mice use relative movements. Since computer operating systems ... are sometimes busy with other tasks, the mouse movement messages may be lost or skipped. Therefore, if a virtual pointer is maintained in a remote KVM system, it may no longer be in sync with the originating system. ... Consequently, it is desirable to implement a mouse synchronization system for use with a remote KVM system that can synchronize mouse movements based on an absolute position.

The Advisory Action even seems to acknowledge the inconsistency in its own position when it admits “the ‘334 publication ... utilizes *relative* movement to move the cursor to the target location” but asserts that this is acceptable because “this is seen as an implementation of ‘absolute movement’ as applicant’s claim limitations are mute to their method as NOT UTILIZING relative movement.”

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

However, it is unclear how one could better express using movement that is *not relative* than to use a phrase meaning its opposite: “absolute movement” -- which the applicant has done. Accordingly, the Office Action has not shown that the ‘334 publication teaches the limitation of “utilizing a universal serial bus (USB) protocol to provide absolute movement of the mouse cursor on a host computer to an absolute position other than the origin.” As the Office Action has not even alleged that the ‘407 patent teaches such a limitation, then the combination of references fails to teach the same limitation not taught by the references individually.

Testing for Support for HIDs Using Absolute Movement

Claim 1 recites “testing an operating system of the logical mouse to determine if the operating system of the logical mouse supports the use of a USB-based human interface descriptor (HID) using absolute movement of a mouse cursor to an absolute position other than the origin.” The Office Action admits that the ‘334 publication “does not explicitly teach a method of testing the operating system of the logical mouse to determine if it supports USB HID.” Importantly, the limitation actually recites a specific kind of human interface descriptor is being tested for (i.e., one using absolute movement of a mouse cursor to an absolute position other than the origin), and based on the above discussion of “absolute position,” it is clear that the ‘334 publication does not teach this limitation.

Furthermore, the Office Action attempts to overcome the admitted deficiency of the ‘334 publication by alleging that the ‘407 patent teaches “a test system 10 for testing an in-test host’s support of peripherals that use a given peripheral communications protocol” and that “the test system is designed to test support for USB peripherals.” (Emphasis in the original.) However, absent from that allegation is an assertion that the

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

‘407 patent teaches “testing an operating system of the logical mouse to determine if the operating system of the logical mouse supports the use of a USB-based human interface descriptor (HID) **using absolute movement** of a mouse cursor to an absolute position other than the origin.” The ‘407 patent does not disclose “absolute” or “absolute movement” at all -- just as the ‘334 publication does not teach absolute movement.

In response to similar arguments above, the Response to Arguments section of the outstanding Office Action states “Applicant’s arguments seem to be interpreting the arts [of the ‘334 publication and the ‘407 patent] taken alone and not in combination.” The Response to Arguments further argues “Once [the ‘334 publication] is modified by [the ‘407 patent], the combined system would in fact utilize **positional commands** to test the remote system.” (Emphasis added.) The Office Action asserts this is true because the ‘407 patent “send[s] mock USB commands to the ‘in-test host’ #12 in order to test the host’s USB capabilities” and that it “teaches in column 2, line 64 - column 3, line 30, that the peripheral emulator (controlling computer) generates different USB messages to test the capabilities of the in-test (controlled computer).” As a result, the Office Action alleges that “Upon the modification of [the ‘334 publication] in view of [the ‘407 patent], the controlling computer would send a series of mouse control commands to the in-test system to test the system’s USB capabilities of processing such commands.”

However, the Office Action does not point to any evidence that shows that the ‘334 publication would utilize “positional commands” or behave in such a way as to respond to the test system of the ‘407 patent use of positional commands such that the system of the ‘407 patent would know how the system of the ‘334 publication behaved. Thus, even if the two references were combined, there is no evidence that the combination would teach this limitation. Furthermore, as any testing would not be for “absolute movement,” this limitation is not taught by the combination of references.

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

No Motivation to Combine the References

The Office Action alleges that one of ordinary skill in the art would have combined the applied references since they both teach “testing.” However, the types of testing are different, and the Office Action has not shown the existence of testing in both references would have caused those references to be combined. The Office Action cites to paragraph [0072] of the ‘334 publication as performing “testing.” That paragraph describes *internal testing* states:

That microprocessor performs: (1) Basic system testing (e.g., code checking, FPGA checking, and RAM testing), (2) transferring mouse and keyboard signals, (3) downloading new programs or FPGA boot code; (4) initializing the onboard FPGAs; and (5) communicating with the analog-to-digital converter to control pixel clock settings (e.g., phase and frequency) and video settings (e.g., color offsets). The microprocessor may act as a watchdog timer to ensure that the system is running properly. If the system is not running properly, the microprocessor can then reset the system.

By contrast, the testing of the ‘407 patent is for *externally connected* peripherals. Thus, the mere existence of testing in both references is not sufficient to provide *evidence* that one of ordinary skill in the art would have combined the references.

Since the Office Action has not shown that claim 1 is rendered obvious by the applied combination of references, this rejection should be REVERSED.

Claim 14 – Rejected under 35 U.S.C. 103(a)

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

The rejection of claim 14 stands or falls with the rejection of claim 1 from which claim 14 depends.

Conclusion

Accordingly, the rejection of claim 1 should be REVERSED. Furthermore, as claim 1 has been shown to be patentable over the applied reference, it is respectfully submitted that claims 2, 3 and 12-15 (which depend from claim 1 either directly or indirectly) are patentable over the applied references for at least the reasons set forth above with respect to claim 1.

CUSTOMER NUMBER	42624
-----------------	-------

Davidson Berquist Jackson & Gowdey LLP
4300 Wilson Blvd., 7th Floor,
Arlington Virginia 22203
Main: (703) 894-6400 • FAX: (703) 894-6430

Respectfully submitted,

By: / Michael R. Casey /

Michael R. Casey, Ph.D.
Registration No.: 40,294

CHARGE STATEMENT: Deposit Account No. 501860, order no. **2540-0707**.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

(viii). CLAIMS APPENDIX

Claim 1 (Previously Presented) A method of providing mouse synchronization between a logical mouse and an actual mouse, comprising:

testing an operating system of the logical mouse to determine if the operating system of the logical mouse supports the use of a USB-based human interface descriptor (HID) using absolute movement of a mouse cursor to an absolute position other than the origin;

utilizing a universal serial bus (USB) protocol to provide absolute movement of the mouse cursor on a host computer to an absolute position other than the origin if the operating system supports the use of a USB-based human interface descriptor (HID) using absolute movement of the mouse cursor to an absolute position other than the origin; and

synchronizing the position of a logical mouse and the position of an actual mouse using the absolute movement to the absolute position other than the origin without operator intervention.

Claim 2 (Previously Presented) The method of claim 1, wherein a virtual presence client (VPC) calculates said logical mouse position.

Claims 3-11 (Canceled)

Claim 12 (Previously Presented) The method of claim 1, wherein utilizing the universal serial bus (USB) protocol to provide the absolute movement of the mouse cursor comprises sending USB command across an IP network.

Claim 13 (Previously Presented) The method of claim 1, further comprising buffering USB commands between the actual mouse and the host computer.

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

Claim 14 (Previously Presented) The method of claim 1, further comprising emulating the timing characteristics of the actual mouse when applying USB commands to the host computer.

Claim 15 (Previously Presented) The method of claim 12, further comprising aggregating mouse movement commands prior to sending the mouse movement commands across the IP network.

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

(ix). EVIDENCE APPENDIX

The attached dictionary definitions for “absolute”, filed along with the response date April 14, 2008, are relied upon in this appeal. The evidence was entered by way of the Advisory Action dated May 21, 2008.



absolute

Search

Dictionary

Thesaurus

Encyclopedia

All Reference

The Web

Wachovia

FREE CHECKING



MEMBER FDIC

ADVERTISEMENT

15 results for: *absolute*

(Browse Nearby Entries)

Sponsored Links

DataCenter EnergySolution

Drop Energy Costs 30% save money, increase cooling
www.technology-connection.com

Treat Eosinophilia

Identify Alternative Treatment Options. Visit Now & Learn More!
www.Eosinophilia-options.com

Dictionary.com Unabridged (v 1.1) — Cite This Source — Share This

ab·so·lute [Audio Help](#) [ab-suh-loot, ab-suh-loot] Pronunciation Key

- Show IPA Pronunciation

-adjective

1. free from imperfection; complete; perfect: *absolute liberty*.
2. not mixed or adulterated; pure: *absolute alcohol*.
3. complete; outright: *an absolute lie*; *an absolute denial*.
4. free from restriction or limitation; not limited in any way: *absolute command*; *absolute freedom*.
5. unrestrained or unlimited by a constitution, counterbalancing group, etc., in the exercise of governmental power, esp. when arbitrary or despotic: *an absolute monarch*.
6. viewed independently; not comparative or relative; ultimate; intrinsic: *absolute knowledge*.
7. positive, certain: *absolute in opinion*; *absolute evidence*.
8. *Grammar*.
 - a. relatively independent syntactically. The construction *It being Sunday* in *It being Sunday, the family went to church* is an absolute construction.
 - b. (of a usually transitive verb) used without an object, as the verb *give* in *The charity asked him to give*.
 - c. (of an adjective) having its noun understood, not expressed, as *poor* in *The poor are always with us*.
 - d. characterizing the phonological form of a word or phrase occurring by itself, not influenced by surrounding forms, as *not* in *is not* (as opposed to *isn't*), or *will* in *they will* (as opposed to *they'll*). Compare [SANDHI](#).

Provider

HIGH YIELD ONLINE SAVINGS ACCOUNT



3.75%

for more information

CLICK HERE

ADVERTISEMENT

Related Ads:

[Absolute Encoders](#)

[Absolute Radio](#)

[Absolute Lyrics](#)

[Absolute MP3](#)

[Absolute Trickshot](#)

[Absolute Albums](#)

ADVERTISEMENT

Free download! Get instant dictionary, thesaurus, and encyclopedia access from your Windows programs with CleverKeys.

Save time with no ads - click here to upgrade to Dictionary.com Premium now!

9. *Physics.*
- independent of arbitrary standards or of particular properties of substances or systems: *absolute humidity*.
 - pertaining to a system of units, as the centimeter-gram-second system, based on some primary units, esp. units of length, mass, and time.
 - pertaining to a measurement based on an absolute zero or unit: *absolute temperature*.
10. *Education.* noting or pertaining to the scale of a grading system based on an individual's performance considered as representing his or her knowledge of a given subject regardless of the performance of others in a group: *The math department marks on an absolute scale.* Compare curve (def. 10).
11. *Climatology.* noting or pertaining to the highest or lowest value of a meteorological quantity recorded during a given, usually long, period of time: *absolute maximum temperature*.
12. *Mathematics.* (of an inequality) indicating that the expression is true for all values of the variable, as $x^2 + 1 > 0$ for all real numbers x ; unconditional. Compare conditional (def. 6).
13. *Computers.* machine-specific and requiring no translation (opposed to symbolic): *absolute coding; absolute address*.
- noun
14. something that is not dependent upon external conditions for existence or for its specific nature, size, etc. (opposed to relative).
15. the absolute,
- something that is free from any restriction or condition.
 - something that is independent of some or all relations.
 - something that is perfect or complete.
 - (in Hegelianism) the world process operating in accordance with the absolute idea.

[Origin: 1350–1400; ME < L *absolutus* free, unrestricted, unconditioned (ptp. of *absolvere* to ABSOLVE), equiv. to ab- Â – + *solut-* loosen + –tus ptp. suffix]

—Related forms

ab·so·lute·ness, noun

—Synonyms 2. unadulterated, sheer, unqualified, undiluted, uncontaminated. 4. total, unconditional. ABSOLUTE, UNQUALIFIED, UTTER all mean unmodified. ABSOLUTE implies an unquestionable finality: *an absolute coward*. UNQUALIFIED means without reservations or conditions: *an unqualified success*. UTTER expresses totality or entirety: *an utter failure*. 5. autocratic, dictatorial, totalitarian. 6. categorical. 7. unequivocal, definite, sure.

—Antonyms 1. imperfect, flawed. 2. mixed, diluted, contaminated. 4. qualified. 6. relative.

Dictionary.com Unabridged (v 1.1)
Based on the Random House Unabridged Dictionary, © Random House, Inc.
2006.

American Heritage Dictionary – Cite This Source – Share This

ab·so·lute  [Audio Help](#) (ab'sə-lüüt', ab'sə-lüüt') Pronunciation Key

1. Perfect in quality or nature; complete.
2. Not mixed; pure. See Synonyms at *pure*.
3.
 - a. Not limited by restrictions or exceptions; unconditional: *absolute trust*.
 - b. Unqualified in extent or degree; total: *absolute silence*. See Usage Note at *infinite*.
 - c. Of, relating to, or being a word, phrase, or construction that is isolated syntactically from the rest of a sentence, as *the referee having finally arrived* in *The referee having finally arrived, the game began*.
 - d. Of, relating to, or being a transitive verb when its object is implied but not stated. For example, *inspires* in *We have a teacher who inspires* is an absolute verb.
 - e. Of, relating to, or being an adjective or pronoun that stands alone when the noun it modifies is being implied but not stated. For example, in *Theirs were the best*, *theirs* is an absolute pronoun and *best* is an absolute adjective.
 - f. Relating to measurements or units of measurement derived from fundamental units of length, mass, and time.
 - g. Relating to absolute temperature.
4. Unconstrained by constitutional or other provisions: *an absolute ruler*.
5. Not to be doubted or questioned; positive: *absolute proof*.
6. *Grammar*
 - a. Of, relating to, or being a word, phrase, or construction that is isolated syntactically from the rest of a sentence, as *the referee having finally arrived* in *The referee having finally arrived, the game began*.
 - b. Of, relating to, or being a transitive verb when its object is implied but not stated. For example, *inspires* in *We have a teacher who inspires* is an absolute verb.
 - c. Of, relating to, or being an adjective or pronoun that stands alone when the noun it modifies is being implied but not stated. For example, in *Theirs were the best*, *theirs* is an absolute pronoun and *best* is an absolute adjective.
 - d. Relating to measurements or units of measurement derived from fundamental units of length, mass, and time.
 - e. Relating to absolute temperature.
7. *Physics*
 - a. Relating to measurements or units of measurement derived from fundamental units of length, mass, and time.
 - b. Relating to absolute temperature.
8. *Law* Complete and unconditional; final.

n.

1. Something that is absolute.
2. *Absolute Philosophy*
 - a. Something regarded as the ultimate basis of all thought and being. Used with *the*.
 - b. Something regarded as independent of and unrelated to anything else.

[Middle English *absolut*, from Latin *absolutus*, *unrestricted*, past participle of *absolvere*, *to absolve*; *ab-*, *away*; see *ab-*¹ + *solvere*, *to loosen*; see *leu-* in Indo-European roots.]

ab'so·lute'ness *n.*

Usage Note: An absolute term denotes a property that a thing either can or cannot have. Such terms include *absolute* itself, *chief*, *complete*, *perfect*, *prime*, *unique*, and mathematical terms

be compared, as by *more* and *most*, or used with an intensive modifier, such as *very* or *so*. Something either is complete or it isn't—it cannot be more complete than something else. Consequently, sentences such as *He wanted to make his record collection more complete*, and *You can improve the sketch by making the lines more perpendicular*, are often criticized as illogical. · Such criticism confuses pure logic or a mathematical ideal with the rough approximations that are frequently needed in ordinary language. Certainly in some contexts we should use words strictly logically; otherwise teaching mathematics would be impossible. But we often think in terms of a scale or continuum rather than in clearly marked either/or categories. Thus, we may think of a statement as either logically true or false, but we also know that there are degrees of truthfulness and falsehood. Similarly, there may be degrees of completeness to a record collection, and some lines may be more perpendicular—that is, they may more nearly approximate mathematical perpendicularity—than other lines. · Accordingly, the objection to modification of an absolute term like *parallel* by degree seems absurd when it is used metaphorically, as in *The difficulties faced by the Republicans are quite parallel to those that confronted the Democrats four years ago*. This statement describes the structural correspondence between two distinct situations, and concerns about the possibility of intersection seem remote indeed. In this sense, parallelism is clearly a matter of degree, so one should not hesitate to modify *parallel* accordingly. See Usage Notes at *equal*, *infinite*, *unique*.

(Download Now or Buy the Book)

The American Heritage® Dictionary of the English Language, Fourth Edition

Copyright © 2006 by Houghton Mifflin Company.

Published by Houghton Mifflin Company. All rights reserved.

[Online Etymology Dictionary](#) – [Cite This Source](#) – [Share This](#)
absolute

c.1374, from M.Fr. *absolut*, from L. *absolutus*, pp. of *absoluere* "to set free, make separate" (see *absolve*). Most of the current senses were in L. Sense evolution is from "detached, disengaged," thus "perfect, pure." Meaning "despotic" (1612) is from notion of "absolute in position;" hence *absolutism*, 1753 in theology, 1830 in politics, first used by Gen. Perronet Thompson. *Absolutely* as an Amer.Eng. colloquial emphatic is first recorded 1892.

[Online Etymology Dictionary](#), © 2001 Douglas Harper

[WordNet](#) – [Cite This Source](#) – [Share This](#)
absolute

adjective

1. perfect or complete or pure: "absolute loyalty"; "absolute silence"; "absolute truth"; "absolute alcohol" [ant: [comparative](#)]
2. complete and without restriction or qualification; sometimes used informally as intensifiers; "absolute freedom"; "an absolute dimwit"; "a downright lie"; "out-and-out mayhem"; "an out-and-out lie"; "a rank outsider"; "many right-down vices"; "got the job through sheer persistence"; "sheer stupidity"
3. not limited by law: "an absolute monarch"

absolute guarantee to respect the nation's authority"
5. not capable of being violated or infringed; "infrangible human rights"

noun

1. something that is conceived or that exists independently and not in relation to other things; something that does not depend on anything else and is beyond human control; something that is not relative; "no mortal being can influence the absolute"

WordNet® 3.0, © 2006 by Princeton University.

Kernerman English Multilingual Dictionary (Beta Version) - Cite This Source - Share This

absolute [əbsəlüt] *adjective*

complete

Example: *absolute honesty*

Arabic: مُكَبَّرٌ

Japanese: 絶対の

Chinese (Simplified): 绝对的

Korean: 완전한, 절대

Chinese (Traditional): 絶對的，完
全的

Latvian: absolūts,

Czech: absolutní,
naprostý

Lithuanian: visiškas,
absoliutus

Danish: absolut;
total;
fuldstændig

Norwegian: absolutt;
fullstendig,
ubetinget

Dutch: absoluut

Polish: całkowity

Estonian: absoluutne

Portuguese (Brazil): absoluto

Finnish: ehdoton

Portuguese (Portugal): absoluto

French: absolu

Romanian: absolut,
deplin, total

German: absolut

Russian: абсолютный

Greek: απόλυτος

Slovak: absolútny

Hungarian: teljes

Slovenian: popoln

Icelandic: algjör

Spanish: absoluto

Indonesian: mutlak

Swedish: absolut,
fullständig

Italian: assoluto

Turkish: tam

See also: [absolutely](#)

Kernerman English Multilingual Dictionary (Beta Version), © 2000-2006 K Dictionaries Ltd.

Merriam-Webster's Medical Dictionary - Cite This Source - Share This

Main Entry: ab·so·lute

Pronunciation: "ab-sə-'lut

Function: *adjective*

1 : pure or relatively free from mixture <*absolute methanol*>

2 : relating to, measured on, or being a temperature scale based on absolute zero <*absolute temperature*>

Merriam-Webster's Medical Dictionary, © 2002 Merriam-Webster, Inc.

Merriam-Webster's Dictionary of Law – Cite This Source – Share This

Main Entry: **ab·so·lute**

Function: *adjective*

- 1 a : free from qualification, condition, exception, or restriction <rights that even seem *absolute* have these qualifications —*Long v. Rockwood*, 277 U.S. 142 (1927)> —see also *absolute ownership* at **OWNERSHIP** —compare **QUALIFIED** b *In the civil law of Louisiana*: having or allowing no legal effect <an *absolute* impediment>
2 : final and not liable to modification —sometimes used after the word it modifies <divorce *absolute*> —compare **NISI** —**ab·so·lute·ly** *adverb*

Merriam-Webster's Dictionary of Law, © 1996 Merriam-Webster, Inc.

Webster's Revised Unabridged Dictionary – Cite This Source – Share This

Absolute

Ab"so*lute, a. [L. *absolutus*, p. p. of *absolvere*; cf. F. *absolu*. See **Absolve**.]

1. Loosed from any limitation or condition; uncontrolled; unrestricted; unconditional; as, absolute authority, monarchy, sovereignty, an absolute promise or command; absolute power; an absolute monarch.
2. Complete in itself; perfect; consummate; faultless; as, absolute perfection; absolute beauty.

So absolute she seems, And in herself complete. --Milton.

3. Viewed apart from modifying influences or without comparison with other objects; actual; real; — opposed to relative and comparative; as, absolute motion; absolute time or space.

Note: Absolute rights and duties are such as pertain to man in a state of nature as contradistinguished from relative rights and duties, or such as pertain to him in his social relations.

4. Loosed from, or unconnected by, dependence on any other being; self-existent; self-sufficing.

Note: In this sense God is called the Absolute by the Theist. The term is also applied by the Pantheist to the universe, or the total of all existence, as only capable of relations in its parts to each other and to the whole, and as dependent for its existence and its phenomena on its mutually depending forces and their laws.

5. Capable of being thought or conceived by itself alone; unconditioned; non-relative.

Note: It is in dispute among philosopher whether the term, in this sense, is not applied to a mere logical fiction or abstraction, or whether the absolute, as thus defined, can be known, as a reality, by the human intellect.

To Cusa we can indeed articulately trace, word and thing, the recent philosophy of the absolute. --Sir W. Hamilton.

6. Positive; clear; certain; not doubtful. [R.]

I am absolute 't was very Cloten. --Shak.

7. Authoritative; peremptory. [R.]

The peddler stopped, and tapped her on the head, With absolute

8. (Chem.) Pure; unmixed; as, absolute alcohol.

9. (Gram.) Not immediately dependent on the other parts of the sentence in government; as, the case absolute. See Ablative absolute, under Ablative.

Absolute curvature (Geom.), that curvature of a curve of double curvature, which is measured in the osculating plane of the curve.

Absolute equation (Astron.), the sum of the optic and eccentric equations.

Absolute space (Physics), space considered without relation to material limits or objects.

Absolute terms. (Alg.), such as are known, or which do not contain the unknown quantity. ---Davies & Peck.

Absolute temperature (Physics), the temperature as measured on a scale determined by certain general thermo-dynamic principles, and reckoned from the absolute zero.

Absolute zero (Physics), the beginning, or zero point, in the scale of absolute temperature. It is equivalent to -273[deg] centigrade or -459.4[deg] Fahrenheit.

Syn: Positive; peremptory; certain; unconditional; unlimited; unrestricted; unqualified; arbitrary; despotic; autocratic.

Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

Webster's Revised Unabridged Dictionary -- [Cite This Source](#) -- [Share This](#)
Absolute

Ab"so'lute\, n. (Geom.) In a plane, the two imaginary circular points at infinity; in space of three dimensions, the imaginary circle at infinity.
Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

Webster's Revised Unabridged Dictionary -- [Cite This Source](#) -- [Share This](#)
Absolute

Cur"va*ture\ (k?r?"v?-t?r; 135), n. [L. *curvatura*. See *Curvate*.]

1. The act of curving, or the state of being bent or curved; a curving or bending, normal or abnormal, as of a line or surface from a rectilinear direction; a bend; a curve. ---Cowper.

The elegant curvature of their fronds. --Darwin.

2. (Math.) The amount of degree of bending of a mathematical curve, or the tendency at any point to depart from a tangent drawn to the curve at that point.

Aberrancy of curvature (Geom.), the deviation of a curve from a circular form.

Absolute curvature. See under Absolute.

Angle of curvature (Geom.), one that expresses the amount of curvature of a curve.

Chord of curvature. See under Chord.

Circle of curvature. See Osculating circle of a curve, under Circle.

Curvature of the spine (Med.), an abnormal curving of the spine, especially in a lateral direction.

Radius of curvature, the radius of the circle of curvature, or osculatory circle, at any point of a curve.

Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

[Webster's Revised Unabridged Dictionary](#) – [Cite This Source](#) – [Share This](#)
Absolute

E*qua"tion\, n. [L. *aequatio* an equalizing: cf. F. [e]quation equation. See Equate.]

1. A making equal; equal division; equality; equilibrium.

Again the golden day resumed its right, And ruled in just equation with the night. —Rowe.

2. (Math.) An expression of the condition of equality between two algebraic quantities or sets of quantities, the sign = being placed between them; as, a binomial equation; a quadratic equation; an algebraic equation; a transcendental equation; an exponential equation; a logarithmic equation; a differential equation, etc.

3. (Astron.) A quantity to be applied in computing the mean place or other element of a celestial body; that is, any one of the several quantities to be added to, or taken from, its position as calculated on the hypothesis of a mean uniform motion, in order to find its true position as resulting from its actual and unequal motion.

[Absolute equation](#). See under [Absolute](#).

[Equation box](#), or [Equational box](#), a system of differential gearing used in spinning machines for regulating the twist of the yarn. It resembles gearing used in equation clocks for showing apparent time.

[Equation of the center](#) (Astron.), the difference between the place of a planet as supposed to move uniformly in a circle, and its place as moving in an ellipse.

[Equations of condition](#) (Math.), equations formed for deducing the true values of certain quantities from others on which they depend, when different sets of the latter, as given by observation, would yield different values of the quantities sought, and the number of equations that may be found is greater than the number of unknown quantities.

[Equation of a curve](#) (Math.), an equation which expresses the relation between the co["o]ordinates of every point in the curve.

[Equation of equinoxes](#) (Astron.), the difference between the mean and apparent places of the equinox.

[Equation of payments](#) (Arith.), the process of finding the mean time of payment of several sums due at different times.

[Equation of time](#) (Astron.), the difference between mean and apparent time, or between the time of day indicated by the sun, and that by a perfect clock going uniformly all the year round.

[Equation clock or watch](#), a timepiece made to exhibit the differences between mean solar and apparent solar time. —Knight.

[Normal equation](#). See under [Normal](#).

and the true qualities or peculiarities in the observer; particularly the difference, in an average of a large number of observation, between the instant when an observer notes a phenomenon, as the transit of a star, and the assumed instant of its actual occurrence; or, relatively, the difference between these instants as noted by two observers. It is usually only a fraction of a second; -- sometimes applied loosely to differences of judgment or method occasioned by temperamental qualities of individuals.

Theory of equations (Math.), the branch of algebra that treats of the properties of a single algebraic equation of any degree containing one unknown quantity.

Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

[Webster's Revised Unabridged Dictionary](#) – [Cite This Source](#) – [Share This](#)
Absolute

Space\ (sp\=a)s), n. [OE. space, F. espace, from L. spatiū space; cf. Gr. spa^n to draw, to tear; perh. akin to E. span. Cf. Expiate.]

1. Extension, considered independently of anything which it may contain; that which makes extended objects conceivable and possible.

Pure space is capable neither of resistance nor motion. --Locke.

2. Place, having more or less extension; room.

They gave him chase, and hunted him as hare; Long had he no space to dwell [in]. --R. of Brunne.

While I have time and space. --Chaucer.

3. A quantity or portion of extension; distance from one thing to another; an interval between any two or more objects; as, the space between two stars or two hills; the sound was heard for the space of a mile.

Put a space betwixt drove and drove. --Gen. xxxii, 16.

4. Quantity of time; an interval between two points of time; duration; time. "Grace God gave him here, this land to keep long space." --R. of brunne.

Nine times the space that measures day and night. --Milton.

God may defer his judgments for a time, and give a people a longer space of repentance. --Tillotson.

5. A short time; a while. [R.] "To stay your deadly strife a space." --Spenser.

6. Walk; track; path; course. [Obs.]

This ilke [same] monk let old things pace, And held after the new world the space. --Chaucer.

7. (print.) (a) A small piece of metal cast lower than a face type, so as not to receive the ink in printing, -- used to separate words or letters. (b) The distance or interval between words or letters in the lines, or between lines, as in books.

Note: Spaces are of different thicknesses to enable the compositor to arrange the words at equal distances from each other in the same line.

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

staff.

Absolute space, Euclidian space, etc. See under [Absolute](#), [Euclidian](#), etc.

Space line (Print.), a thin piece of metal used by printers to open the lines of type to a regular distance from each other, and for other purposes; a lead. --[Hansard](#).

Space rule (Print.), a fine, thin, short metal rule of the same height as the type, used in printing short lines in tabular matter.

Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

[Webster's Revised Unabridged Dictionary](#) — [Cite This Source](#) — [Share This](#)
Absolute

Tem"per*a"ture\, n. [F. température, L. temperatura due measure, proportion, temper, temperament.]

1. Constitution; state; degree of any quality.

The best composition and temperature is, to have openness in fame and opinion, secrecy in habit, dissimulation in seasonable use, and a power to feign, if there be no remedy. --[Bacon](#).

Memory depends upon the consistence and the temperature of the brain. --[I. Watts](#).

2. Freedom from passion; moderation. [Obs.]

In that proud port, which her so goodly graceth, Most goodly temperature you may descry. --[Spenser](#).

3. (Physics) Condition with respect to heat or cold, especially as indicated by the sensation produced, or by the thermometer or pyrometer; degree of heat or cold; as, the temperature of the air; high temperature; low temperature; temperature of freezing or of boiling.

4. Mixture; compound. [Obs.]

Made a temperature of brass and iron together. --[Holland](#).

Absolute temperature. (Physics) See under [Absolute](#).

Animal temperature (Physiol.), the nearly constant temperature maintained in the bodies of warm-blooded (homiothermal) animals during life. The ultimate source of the heat is to be found in the potential energy of the food and the oxygen which is absorbed from the air during respiration. See [Homiothermal](#).

Temperature sense (Physiol.), the faculty of perceiving cold and warmth, and so of perceiving differences of temperature in external objects. --[H. N. Martin](#).

Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

[Webster's Revised Unabridged Dictionary](#) — [Cite This Source](#) — [Share This](#)
Absolute

Ze"ro\, n.; pl. [Zerosor Zeroes](#). [F. z[ ]ro, from Ar. [,c]afrun, [,c]ifrun, empty, a cipher. Cf. [Cipher](#).]

1. (Arith.) A cipher; nothing; naught.

2. The point from which the graduation of a scale, as of a thermometer, commences.

Note: Zero in the Centigrade, or Celsius thermometer, and in the R[°e] aumur thermometer, is at the point at which water congeals. The zero of the Fahrenheit thermometer is fixed at the point at which the mercury stands when immersed in a mixture of snow and common salt. In Wedgwood's pyrometer, the zero corresponds with 1077[deg] on the Fahrenheit scale. See Illust. of Thermometer.

3. Fig.: The lowest point; the point of exhaustion; as, his patience had nearly reached zero.

Absolute zero. See under Absolute.

Zero method (Physics), a method of comparing, or measuring, forces, electric currents, etc., by so opposing them that the pointer of an indicating apparatus, or the needle of a galvanometer, remains at, or is brought to, zero, as contrasted with methods in which the deflection is observed directly; -- called also null method.

Zero point, the point indicating zero, or the commencement of a scale or reckoning.

Webster's Revised Unabridged Dictionary, © 1996, 1998 MICRA, Inc.

On-line Medical Dictionary – Cite This Source – Share This
absolute

absolute: in CancerWEB's On-line Medical Dictionary

On-line Medical Dictionary, © 1997-98 Academic Medical Publishing & CancerWEB

[View results from: Dictionary](#) | [Thesaurus](#) | [Encyclopedia](#) | [All Reference](#) |
the Web

Share This:



ADVERTISEMENT

[Amazon.com](#) - Shop for books, music and more

[Reference.com](#) - Encyclopedia Search

[Reference.com](#) - Web Search powered by Google

[Thesaurus.com](#) - Search for synonyms and antonyms

Get the Dictionary.com Toolbar for your browser - FREE download! *From the makers of Dictionary.com*

[About Dictionary.com](#) | [Privacy Policy](#) | [Terms of Use](#) | [Link to Us](#) | [Contact Us](#)

Copyright © 2008, Lexico Publishing Group, LLC. All rights reserved.

Application of: Colin N.B. Cook
Serial No. 10/792,286
Appeal Brief

(x). RELATED PROCEEDINGS APPENDIX

No related proceedings.